

REMARKS

Claims 1-2, 5-9 and 11 were examined in the Office Action mailed December 19, 2006.

In the Applicant's October 30, 2006 Preliminary Amendment, claims 1 and 9 were amended to distinguish Seto's binary "vehicle not present" vs. "vehicle present" scheme, by reciting that the "after detection of a hazard, [the system] modulates an urgency signal indicative of a degree of urgency of the detected hazard based upon a hazard variable, wherein said urgency signal is *variable* between a value indicating no urgency and a value indicating a greatest urgency."

In response, the December 19, 2006 Office Action restated the pending rejections, maintaining that Seto's binary vehicle detection provides the recited "viable assessment of braking urgency." December 19, 2006 Office Action at 5.

While the Applicant respectfully traverses the pending rejections on the grounds that Seto's binary "vehicle present/not present" signals are not signals which are "*variable between* a value indicating no urgency and a value indicating a greatest urgency," in order to advance the prosecution of this application the Applicant has further amended claims 1 and 9 to recite that the urgency signal of the present invention is "*continuously variable*" over the recited range of urgency values.

In view of these amendments and the reasons set forth in the Applicant's October 30, 2006 Preliminary Amendment, the Applicant respectfully submits that the invention recited in amended claims 1-2, 5-9 and 11 is not taught or

suggested by any combination of the Seto, Chakraborty and/or Wieder references.¹ Withdrawal of the § 103(a) rejections is respectfully requested.

CONCLUSION

In view of the foregoing, the Applicant submits that claims 1-2, 5-9 and 11 are in condition for allowance. Early and favorable consideration, and issuance of Notice of Allowance for these claims is respectfully requested.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #037068.52641US).

Respectfully submitted,

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¹ Claims 3-4 and 10 are identified as rejected at page 4 of the pending Office Action. The Applicants note that these claims were canceled in the October 30, 2006 Preliminary Amendment.